

REMARKS

Claim Rejections – 35 U.S.C. §103

Claims 1-3, 5-8, and 11-20 stand rejected under 35 U.S.C. §103(a), as being unpatentable over Barclay (US 5,505,232) in view of Dowdell et al. (US. 3,735,600).

For a §103 obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. MPEP 2143.

Claim 1 has been amended to include the subject matter of Claim 10, reciting a gas pressurization system comprising "... an underground natural gas reservoir coupled to said pump discharge downstream of said recovery heat exchanger, wherein said underground natural gas reservoir comprises at least one of a depleted natural gas or oil field, an aquifer, and a salt cavern."

The cited prior art does not teach these limitations, nor would it be obvious to modify the cited prior art to include these limitations. On Page 8 of the Office Action dated November 18, 2005, Examiner even states that "Claims 10, 21 and 22 ... would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." On Page 9, Examiner goes on to state that "it is not seen as obvious to use the device of Barclay to fill such a reservoir, even if the reservoir types are known."

Therefore, Applicant respectfully submits that Claim 1 is patentable over Barclay in view of Dowdell, and that Claim 1 is currently in condition for allowance.

Reconsideration and withdrawal of the rejection is respectfully requested.

Since Claims 2-3 and 5-8 depend from Claim 1, Applicant respectfully submits that Claims 2-3 and 5-8 are also patentable as they contain the same limitations as Claim 1. Therefore, Applicant respectfully submits that Claims 2-3 and 5-8 are currently in condition for allowance.

The same arguments made above with respect to the patentability of Claim 1 are applicable to the patentability of Claim 11 as well, since Claim 11 has also been amended to include the allowable subject matter cited by Examiner on Pages 8 and 9 of the Final Office Action dated November 18, 2005. Therefore, Applicant respectfully submits that Claim 11 is currently in condition for allowance.

Since Claims 12-16 depend from Claim 11, Applicant respectfully submits that Claims 12-16 are also patentable as they contain the same limitations as Claim 11. Therefore, Applicant respectfully submits that Claims 12-16 are currently in condition for allowance.

The same arguments made above with respect to the patentability of Claim 1 are applicable to the patentability of Claim 17 as well, since Claim 17 has also been amended to include the allowable subject matter cited by Examiner on Pages 8 and 9 of the Final Office Action dated November 18, 2005. Therefore, Applicant respectfully submits that Claim 17 is currently in condition for allowance.

Since Claims 18-20 depend from Claim 17, Applicant respectfully submits that Claims 18-20 are also patentable as they contain the same limitations as Claim 17. Therefore, Applicant respectfully submits that Claims 18-20 are currently in condition for allowance.

Reconsideration and withdrawal of the rejection is respectfully requested.

Claim 4 stands rejected under 35 U.S.C. §103(a), as being unpatentable over Barclay in view of Dowdell, and further in view of Hall (US 6,374,844 B1).

Since Claim 4 depends from Claim 1, Applicant respectfully submits that Claim 4 is also patentable as it contains the same limitations as Claim 1. Therefore, Applicant respectfully submits that Claim 4 is currently in condition for allowance.

Reconsideration and withdrawal of the rejection is respectfully requested.

Claim 9 stands rejected under 35 U.S.C. §103(a), as being unpatentable over Barclay in view of Dowdell, and further in view of Emmer et al. (US 6,354,088 B1).

Since Claim 9 depends from Claim 1, Applicant respectfully submits that Claim 9 is also patentable as it contains the same limitations as Claim 1. Therefore, Applicant respectfully submits that Claim 9 is currently in condition for allowance.

Reconsideration and withdrawal of the rejection is respectfully requested.

If the Examiner has any questions regarding this application, the Examiner may telephone the undersigned at 775-586-9500.

Respectfully submitted,  
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